

PICK A CARD, ANY CARD

Richard Hayes Phillips, Ph.D.
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We have alleged since shortly after the 2004 presidential election that in many counties in Ohio, thousands of votes were shifted from Kerry to Bush. Comparison of the 2004 presidential results with other contests, on a precinct by precinct basis, reveals anomalies that are simply not explainable except by alteration of the vote count. In the forefront of these is Warren County, in southwestern Ohio.

In Warren County, compared to 2000, the population increased by 14.75%, voter registration by 29.66%, and ballots cast by 36.23%. Bush's point spread increased from 42.24% to 44.48%, and Bush's victory margin increased from 29,176 votes to 41,993 votes. Voter registration was reportedly up by 79.0%, 38.3%, 32.4%, 31.0%, 29.7%, and 28.4% in six townships that provided 68.75% of Bush's margin of victory.

Countywide, Kerry received 2,427 fewer votes than C. Ellen Connally, an underfunded African-American municipal judge from Cleveland running for Chief Justice against Thomas J. Moyer, a well-financed Republican incumbent, in a race that drew 1.2 million fewer votes statewide than the presidential race. Precinct analysis shows that at least 2,557 persons must have voted for both Connally and Bush. And for every one of the 22,081 persons who did not vote for Chief Justice but voted for Kerry, there must have been another person who voted for both Connally and Bush. Either that, or the official results are not true and correct.

Countywide, Bush received 4,606 more votes than Issue One, the constitutional amendment prohibiting gay marriage, which passed overwhelmingly with 61.71% of the vote statewide, compared to 50.81% for Bush. (A vote for Issue One was a vote against gay marriage). Precinct analysis shows that in six townships alone, at least 2,904 persons must have voted for gay marriage and for George W. Bush. And for every person who voted for Kerry and against gay marriage, there must have been another person who voted for Bush and for gay marriage. Either that, or the official results are not true and correct.

We believe that these numbers are fraudulent, in that at least 2,900 votes, and possibly 4,600 votes, have been shifted from Kerry to Bush, resulting in a net loss of 5,800 votes to 9,200 votes for Kerry.

We have obtained photographs of the actual punch card ballots for 12 of 157 precincts in Warren County, and photographs of the poll books and voter signature books for most of these 12 precincts. I recounted one precinct, selecting one that exhibited both the "Connally anomaly" and the "gay-friendly Republican" anomaly. Ballot by ballot, I recorded how each person voted for president, for Chief Justice, and on Issue One.

This was not an easy task. In Ohio, the order in which the candidates' names appear on the ballot must rotate from precinct to precinct. In addition, one must examine the order in which the various races appear on the precinct canvass records in order to determine which races appear in which columns on the punch cards. In this particular precinct in Mason City (149 MAS C WC AFS), the ballot rotation code was as follows:

Bush 8, Kerry 10
 Connally 78, Moyer 79
 Yes 124, No 125

We do not have photographs of every single ballot in this precinct, but the data set is so nearly complete as to confirm that the hand count matches the official results. In other words, the central tabulator was working properly, and recording the punches correctly.

In the table below, Bush voters are on the left, and Kerry voters are on the right. The first grouping shows those who voted on all three questions - President, Chief Justice, and Issue One. For example, 244 of those who voted for Moyer and for Issue One also voted for Bush. The second grouping shows those who cast a vote either for Chief Justice or on Issue One, but not both. For example, all 7 of those who voted for Moyer, but did not vote on Issue One, also voted for Bush. The third grouping shows those who voted for president but did not vote either for Chief Justice or on Issue One. Bush got 19 of these voters and Kerry got 5. Finally, there were 8 ballots for neither Bush nor Kerry.

HAND COUNT, WARREN COUNTY, MASON CITY, PRECINCT 149 MAS C WC AFS

BUSH VOTERS			KERRY VOTERS		
	Yes	No		Yes	No
Moyer	244	62	Moyer	18	25
Connally	109	42	Connally	22	76
Moyer	7		Moyer	0	
Connally	1		Connally	3	
Yes	71		Yes	16	
No	19		No	28	
Bush	19		Kerry	5	
	Nader			1	
	Undervotes			4	
	Overvotes			1	
	Number 9			1	
	Numbers 7 & 8			1	
	Bush			574	
	Kerry			193	
	Nader			1	
	Void			7	
	Total			775	

Analysis:

Bush got 313 (87.9%) of the Moyer voters
 152 (60.1%) of the Connally voters
 424 (88.3%) of the Yes voters
 123 (48.8%) of the No voters

This is what the punch cards show. I struggle to believe it. One might expect Bush to receive the votes of 87.9% of those who voted Republican for Chief Justice, and 88.3% of those who voted against gay marriage. But how could Bush have gotten 60.1% of the Ellen Connally voters, and 48.8% of those who voted for gay marriage? Bush even got 42 (35.6%) of those who voted for Ellen Connally and against Issue One.

I cannot help but notice the 19 ballots punched for Bush with no vote for Chief Justice or on Issue One. Four of these punch cards contain only one punch, for Bush. Six others contain only two punches: three for Bush and Senator Voinovich, three for Bush and Issue One. This is consistent with the possibility that the ballot box was stuffed with ten or more ballots punched for Bush and for few, if any, other candidates. If this happened, the voter signature book should reveal an equivalent number of forgeries.

And there are two ballots with odd-numbered punches in the presidential column. Only the even-numbered spaces were valid for presidential candidates. In this precinct, 8 was Bush, and 10 was Kerry. Yet one card was punched at 7 and another at 9. The voting machines did not let the voters do this. Board of Elections employees in Carroll, Harrison, Muskingum, Seneca, and Wayne counties, all of which ran clean elections, have confirmed that the ballots were covered by a "mask" or "shield" in which holes were created for every possible voting position. It was not possible to punch an odd number for president, unless the punch card was outside the machine at the time. Also I notice that there were only 4 actual undervotes out of 775 ballots cast, a remarkably low percentage (0.5%) for punch card ballots. This is consistent with the possibility that undervotes were punched for Bush and fed back through the tabulators. If this was done in a hurry, 7 and 9 could have been punched by mistake.

But neither of these possibilities, fraudulent though they be, can explain the large anomalies in the vote totals. The explanation may lie in the punches at the bottom of the cards. Each punch card ballot contains a triangular array of punches outside the 228 numbered spaces that could correspond to a candidate or a ballot issue. According to Board of Elections employees in Harrison and Seneca counties, the punch code at the bottom of the card matches the code on a "header card" which identifies the precinct when the punch card ballots are run through the tabulator.

In Warren County we have photographs of punch card ballots for 12 of 157 precincts. The punch code at the bottom of the cards is the same for every precinct. Near the bottom of every punch card appear these words:

TO BE FILLED IN BY ELECTION BOARD ONLY

Beneath this are the following words:

PRECINCT NO. _____

This line is always blank. Nowhere on the punch cards is the precinct identified by punch code, and nowhere on the front of the punch cards is the precinct identified in writing.

According to Dave Keeler, President of Dayton Legal Blank, Inc., which prints ballots for 70 of 88 counties in Ohio, the precinct must be printed on the back of each punch card ballot, by law. Board of Elections employees in Muskingum and Seneca counties have confirmed that the precincts were identified on the backs of the punch cards used in their counties. We do not know if the precincts were identified on the backs of the punch cards used in Warren County, because our photographers were not allowed to touch the punch cards, and they never saw the back side of any of them. Employees of the Warren County Board of Elections placed the cards in stacks, front side up, on tables, spread them out eight at a time to be photographed, and never, ever, turned them over. Thus I cannot eliminate the possibility that ballots punched for Kerry were shifted to other precincts where, due to ballot rotation, they would be tabulated as votes for Bush. I shall explain the methodology as simply as possible.

The precinct canvass records list the precincts in a certain order. For the first precinct on the list, the names of the candidates for each office appear in alphabetical order. The positions shift one column to the left as one moves down the list of precincts. There were five candidates for President, and the rotation was as follows:

	2	4	6	8	10
Precinct 1	Badnarik	Bush	Kerry	Nader	Peroutka
Precinct 2	Bush	Kerry	Nader	Peroutka	Badnarik
Precinct 3	Kerry	Nader	Peroutka	Badnarik	Bush
Precinct 4	Nader	Peroutka	Badnarik	Bush	Kerry
Precinct 5	Peroutka	Badnarik	Bush	Kerry	Nader

There were only two candidates for Chief Justice, so the rotation was as follows:

	78	79
Odd numbered precincts	Connally	Moyer
Even numbered precincts	Moyer	Connally

Ballot initiatives are not subject to ballot rotation, so the ballot positions for Issue One were as follows:

	124	125
All precincts	Yes	No

In Precinct 149 (MAS C WC AFS), Bush was in position 8, and Kerry was in position 10. If, say, 30 ballots punched for Kerry were moved to Precinct 148, where Bush was in position 10, the votes would be counted for Bush. The votes for Chief Justice would be reversed. In Precinct 149, Connally got 101 (52.3%) of the Kerry voters, and Moyer got 43 (22.3%) of the Kerry voters. Connally would be expected to get 16 of 30 Kerry voters, and Moyer would be expected to get 7 of 30 Kerry voters. If the punch cards were shifted to Precinct 148, Bush would get the 30 Kerry votes, Connally would get the 7 Moyer votes, and Moyer would get the 16 Connally votes. Kerry, instead of running 14 votes ahead of Connally, would run 7 votes behind her, thus creating the "Connally anomaly." The votes on Issue One would remain unchanged. 129 (66.8%) of Kerry supporters voted "No" on

Issue One. One would expect Issue One to be opposed by 20 of 30 Kerry supporters. If the ballots were shifted, these 20 gay-friendly Democrats would become gay-friendly Republicans in the official vote count.

These 30 punch cards would not necessarily have gone to Precinct 148. The same thing could be accomplished by shifting them to Precinct 153, or to Precinct 3, or to Precinct 8, or to Precinct 13, or to any precinct where Bush was in position 10 on the punch card ballots.

Conversely, if ballots punched for Kerry in Precinct 149 were moved to Precinct 150, Kerry votes would go to Nader. These votes would disappear into the black hole, because Nader had been disqualified, removed from the ballot, and the tabulators were programmed to count his column as zero. Again, the votes for Chief Justice would be reversed, and the votes on Issue One would remain unchanged.

Such a systematic fraud could easily have been accomplished in Warren County, given the peculiar circumstances of Election Night. The punch card ballots collected from each precinct were driven to Lebanon, Ohio, mainly along Interstate 71 and U. S. Highway 42, and brought to a tent, equipped with metal detectors, on county property. It was decided that the tent was too small, so the ballots were brought to an unauthorized warehouse owned by the county, where they remained for four hours. During this time it would have been easy to remove a predetermined number of ballots punched for Kerry from each precinct, stack them up according to his position on the ballot (2, 4, 6, 8, or 10), move the same number of ballots to another precinct where that position would be counted as a vote for Bush, and bind up the stack to signify that it was ready to run through the central tabulator. It was only necessary to shift the same number of ballots from precinct to precinct each time, so that the number of ballots cast would match the number of names in the signature book.

After that, the ballots were brought to the county administrative building, which was locked down by county officials, who prohibited all independent observers from watching the vote count. Citing "homeland security" concerns, the county had two pickup trucks out front, police in the building, and a bomb-sniffing dog. No one would know if the tabulator was able to identify the punch cards by precinct, or if the tabulator had to be commanded manually, because no independent observers were watching.

All of this is completely consistent with the official election results for Warren County. It would explain how John Kerry got 2,427 (8.52%) fewer votes than Ellen Connally, while running 32.18% ahead of her statewide. It would explain how George W. Bush got 4,606 (7.26%) more votes than Issue One, while running 14.10% behind Issue One statewide. And it would explain how, in Precinct 149 (MAS C WC AFS), Bush got 60.1% of the Ellen Connally voters, and 48.8% of the gay marriage supporters.

The statistical and circumstantial evidence is powerful. There is a prima facie case that a crime has been committed. It should be up to the county officials to provide convincing exculpatory evidence. I want them to pick a card, any card, and show me the back of it, so that I can see for myself if it is identified by precinct. Then I want them to pull the cards for precincts of my choosing, and to deal the cards face down, so that I can see for myself if all the cards belong to the same deck.